

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Wai Ming Choi

Application No.: 10/822,440

Filed: April 12, 2004

Entitled: LOW DENSITY NONWOVEN GLASS
FIBER WEB

Docket No.: 72545-83

Conf. #: 1434

Group Art Unit: 1771


Examiner: Andrew T. Piziali

Certificate of Mailing (37 C.F.R. 1.8(a))

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Oct. 4, 2007
Date of Signature and Mail Deposit

By:


Lisa Adams, Reg. No: 44,238
Attorney for Applicant(s)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE FILED WITH RCE

Dear Sir:

This communication is filed concurrently with a Request for Continued Examination.

In the Advisory Action mailed on June 18, 2007, the Examiner argues that the §1.132 Declaration filed on March 7, 2007 does not show that the claimed gamma value is a direct result of (1) adding an acidic adjusting agent and (2) adding a neutral or basic (alkaline) adjusting agent. The Examiner argues that the declaration refers to Example 1 of the specification, but Example 1 completely fails to mention performing steps (1) and (2). Rather, the Examiner argues that Example 1 teaches performing step (1) or step (2). While Applicants disagree, as explained in Applicant's previous response, Applicants submit herewith a Supplement §1.132 Declaration that includes examples in which neither steps (1) nor (2) were performed, only step (1) was performed, only step (2) was performed, and both steps (1) and (2) were performed. Applicants specification clearly teaches, in paragraphs 0023 and 0024, that the gamma of 14 is obtained by first adding an acidic adjusting agent to the slurry, and then adding a neutral or alkaline pH adjusting agent, and thus the examples in the Supplemental Declaration are submitted to merely support this assertion.

In a telephone interview with the Examiner on February 12, 2007 the Examiner agreed that a declaration showing that the claimed gamma value is a direct result of adjusting the pH of a slurry during formation of a filter media would be sufficient to overcome the pending rejections. Applicants Supplemental §1.132 Declaration of Wai Ming Choi submitted herewith should be sufficient to provide such a showing, and therefore overcome the pending rejections..

Applicants also provide the following additional comments in response to the additional comments set forth in the Advisory Action.

In Applicant's previous response, Applicant argued that Dong is non-analogous art. In the Advisory Action the Examiner states that "Dong is in the field of applicant's endeavor which is wet laid methods of making glass fiber mats," citing Col. 1, lines 4-11 of Dong and Paragraph 0003 of the current specification. Col. 1, lines 4-11 of Dong explains that the glass mats are formed into a variety of products, including roofing shingles, boat hulls, food service trays, etc., and paragraph 0003 of the present application states that the invention relates to "***filter media*** formed of or containing nonwoven glass fiber webs" The Examiner has misstated the field of the present invention, which is filter media. While the media are formed using wet laid methods, the claimed invention relates to filter media. Dong does not in any way relate to filter media, and thus is not analogous art. Dong would never be relied on as a reference to modify a filter media, such as that taught by Pierce.

With regard to the claimed surface area, in the Advisory Action the Examiner argues that Perez provides a conventional teaching showing that it is known in the filtration art to use a surface area greater than 0.25 m²/gm, and therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Pierce in view of Perez to arrive at the claimed surface area. This is incorrect. While Perez does disclose the claimed surface area, Perez does not teach how to obtain this surface area, and thus the modification suggested by the Examiner would not have been obvious. Again, a person skilled in the art would not be able to just obtain the claimed surface area because Perez teaches a filter having such a surface area. Perez would need to disclose exactly how to obtain this surface area, and without merely forming the filter media of Perez, Perez does not provide such a teaching.

In the Advisory Action, the Examiner further argues that it would have been obvious to

utilize the wet laid process of Pall with Pierce, namely to add the binder to the slurry before the mat is formed, as well as to vary the pH from about 7 to about 10, to form a filter media with excellent strength and enhanced particulate removal efficiency. The Examiner has failed to provide any motivation to make this modification. Adding a binder during processing will not enhance the strength or efficiency of the filter media. The Examiner is making conclusions that are not present in the references.

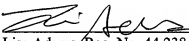
Applicants further note that Pall is directed to a liquid filter media, whereas Pierce is directed to air filter media. Liquid filter media require entirely different filtration properties, and thus no person having ordinary skill in the art would rely on the teachings of Pall to modify an air filter media, as taught by Pierce.

Applicants further note that even if you adjust the pH of Pierce based on Pall or Dong, Pierce is not necessarily going to have the claimed Gamma value because Gamma is dependent on pressure drop. Pierce does not disclose a specified pressure drop, and in fact, because Pierce contains a binder and other materials not used in the present invention, the pressure drop will be affected thus lowering the Gamma.

In conclusion, Applicant submits that all claims are now in condition for allowance, and allowance thereof is respectfully requested. The Examiner is encouraged to telephone the undersigned attorney for Applicant if such communication is deemed to expedite prosecution of this application.

Respectfully submitted,

Date: Oct. 4, 2007



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